

Wetlands Bureau Decision Report

Decisions Taken
04/05/2004 to 04/09/2004

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2004-00093 DUPLESSIS, PATRICIA & JOAN CURRIER
LEBANON Unnamed Wetland

Requested Action:

Dredge and fill a total of 11337 square feet of wetland further described as follows: Temporarily impact 3512 square feet of forested wetland for connection to an existing sewer line and permanently impact 8385 square feet of wet meadow for construction of an access road in the subdivision of 70 acres into 170 housing units. Mitigate for the proposed impacts per City Regulations including the enhancement of the wet meadow, and detention pond for wildlife habitat and encumber a 5-7 acre parcel on the east side of Tax Map 108, lot 14 with a conservation easement.

Conservation Commission/Staff Comments:

The Lebanon Conservation Commission approves of the project with conditions:

1. The detention pond and meadow be enhanced for wildlife habitat.
2. A 5-7 acre parcel on the east side of Tax Map 108, lot 14 be placed into Conservation Easements.
3. The Homeowners Association be charged with maintaining detention ponds and treatment structures.

APPROVE PERMIT:

Dredge and fill a total of 11337 square feet of wetland further described as follows: Temporarily impact 3512 square feet of forested wetland for connection to an existing sewer line and permanently impact 8385 square feet of wet meadow for construction of an access road in the subdivision of 70 acres into 170 housing units. Mitigate for the proposed impacts per City Regulations including the enhancement of the wet meadow, and detention pond for wildlife habitat and encumber a 5-7 acre parcel on the east side of Tax Map 108, lot 14 with a conservation easement.

With Conditions:

1. All work shall be in accordance with plan sheets 1 and 3 titled Wetland Impact Plans by Holden Engineering dated January 12, 2004, as received by the Department on January 16, 2004, and plan sheet 2 titled Wetland Impact Plans by Holden Engineering dated January 12, 2004, as received by the Department on February 17, 2004, and cross section plans by Holden Engineering as received by the department on March 25, 2004. Subdivision Plan sheets 10-12 by Holden Engineering dated January 8, 2004, as received by the Department on January 16, 2004, and Subdivision plan sheet 13 by Holden Engineering dated January 8, 2004, and revised through March 5, 2004 as received by the Department on March 22, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Work shall be done during low flow.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

13. The area of temporary impact shall be restored to original grade and stabilized within three days of the completion of the installation of the utility line in that area.
14. Mulch within the restoration area shall be straw.
15. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
16. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
19. Silt fencing must be removed once the area is stabilized.
20. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
21. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The City of Lebanon Regulations Section 13, Para 13.5 subpara. B limit the length of cul-de-sacs to 1200 feet.
6. The conservation commission has reviewed the proposed application and recommended approval of the project.
7. The state did not require mitigation for the proposed impacts as 3512 square feet of the proposed impacts are temporary.
8. The proposed crossing #2 maintains the hydrology of the wetlands by the installation of a culvert.

2004-00157 STEWART, WILLIAM
NEW CASTLE Piscataqua River Back Channel

Requested Action:

Construct a 6 ft x 20 ft pier supported by pilings leading to a 3 ft. x 36 ft. ramp and a 10 ft. x 20 ft. float, on approximately 198 feet of frontage along the Piscataqua River Back Channel in New Castle.

Conservation Commission/Staff Comments:
con com intervened until March 9, 2004.

Inspection Date: 02/12/2004 by Christina Altimari

APPROVE PERMIT:

Construct a 6 ft x 20 ft pier supported by pilings leading to a 3 ft. x 36 ft. ramp and a 10 ft. x 20 ft. float, on approximately 198 feet of frontage along the Piscataqua River Back Channel in New Castle.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated cross section plan dated January 8, 2004, and

overhead plan entitled "Plan B", as received by the Department on April 8, 2004.

2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
6. The decking of the dock shall have a minimum of 6 ft. clearance from the surface of the mud flat and shall have 3/4-inch spacing between the decking planks and the ramp shall have a minimum of 3 ft. clearance from the surface of the mud flat.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
8. Work shall be done during low tide.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in tidal waters.
2. Public hearing is waived based on DES staff field inspection on February 12, 2003 with the finding that the project impacts will not significantly impair the resources of this tidal river.
3. The Pease Development Authority - Division of Ports and Harbors has reviewed the plans and determined that the proposed dock does not impede navigation.
4. The NH Division of Historical Resources has been notified of the proposed project plans and has no record of any known properties of architectural, historical, archaeological, engineering, or cultural significance within the vicinity of the proposed project.
5. NH Natural Heritage Inventory (NHNHI) has record of one state threatened plant species within the vicinity of the project, Marsh Elder (*Iva frutescens*). DES field inspection finds that the NHNHI identified plant species will not be negatively impacted as a result of the proposed project.
6. This dock is consistent with other tidal dock approvals in the seacoast region.

MINOR IMPACT PROJECT

2002-01544 MEREDITH, TOWN OF
MEREDITH Tributary To Hawkins Brook

Requested Action:

Request permit to retain 5497 square feet of fill in a forested wetland for the construction of sediment basins in the final landfill closure.

APPROVE AFTER THE FACT:

Retain 5497 square feet of fill in a forested wetland for the construction of sediment basins in the final landfill closure.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted several field inspections of the project site. The proposed sedimentation basins are required as part of the overall closure plan. They can not be relocated further upslope as they would be within the cap of the landfill.
6. NHDES Wetlands Bureau issued a restoration plan approval for this project on June 13, 2003.

2002-02529

GREENWOOD ACRES CORP, C/O ROGER FARQUHARSON

LITTLETON Unnamed Wetland

Requested Action:

Dredge and fill 11,898 square feet of palustrine forested wetlands to install an access road serving a 17-lot subdivision (Phase 7) on 118 acres of land. Mitigate impacts for this phase of development (Phase 7) and subsequent future phases by placing a conservation easement on 10.14 acres of land (441,842 square feet).

Conservation Commission/Staff Comments:

Conservation Commission has not provided any comments.

APPROVE PERMIT:

Dredge and fill 11,898 square feet of palustrine forested wetlands to install an access road serving a 17-lot subdivision (Phase 7) on 118 acres of land. Mitigate impacts for this phase of development (Phase 7) and subsequent future phases by placing a conservation easement on 10.14 acres of land (441,842 square feet).

With Conditions:

1. All work shall be in accordance with revised plans by Kellogg Surveying & Mapping, Inc. dated February, 2004, as received by the Department on March 4, 2004.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback within the "Phase 7" area of this subdivision.
3. The deed which accompanies the sales transaction for each of the lots within the "Phase 7" area of this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. The applicant shall notify DES and the local conservation commission in writing of their intention to begin construction no less than five (5) business days prior to the commencement of construction.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
8. Work shall be done during low flow.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

MITIGATION CONDITIONS:

17. This permit is contingent upon the execution of a conservation easement on 10.14 acres as depicted on plans received March 4, 2004.
18. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
19. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
20. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
21. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
22. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
23. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
24. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This project is considered a Minor Project per NH Administrative Rule Wt 303.03(h), as wetland impacts are less than 20,000 square feet.
2. To help mitigate the impacts of the proposed project and subsequent future phases, the applicant will place a conservation easement on 10.14 acres of undeveloped land.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2003-02002 MELO, HORATIO & CYNTHIA
MEREDITH Lake Winnepesaukee

Requested Action:

Amend permit to include a larger canopy reflecting Bureau policy changes.

Conservation Commission/Staff Comments:

Con. Com. had no objection to the project.

APPROVE AMENDMENT:

Amend permit to read:

Excavate 240 sq ft and dredge 0.6 cu yds from 12 sq ft of lakebed to construct a 12 ft x 20 ft perched beach, utilizing 10 cu yds of sand, surrounded by 54 linear ft of rock wall, with 4 ft wide stone steps accessing the beach and the water, install a 11 ft x 18 ft 6 in

seasonal boatlift, install a 14 ft x 30 ft seasonal canopy, and relocate existing seasonal jet ski lifts adjacent to an existing 6 ft x 40 ft seasonal dock on an average of 90 ft of frontage on Cummings Cove, Lake Winnepesaukee.

With Conditions:

With Amended Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated July 28, 2003, revised on March 30, 2004, as received by the Department on April 2, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Dredged and excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. All seasonal structures shall be removed for the non-boating season.
9. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
10. The steps installed for access to the water shall be located completely landward of the normal high water line.
11. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
12. This permit shall be used only once, and does not allow for annual beach replenishment.
13. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
14. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
15. Canopies shall be of seasonal construction type with a cover of flexible fabric that shall be removed for the non-boating season.
16. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
17. Work shall be done during drawdown.
18. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(g), removal of no more than 20 cubic yards of material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2003-02449 RANIERI, ROBERT
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Remove 10 rocks (15 cu yd) that are hazards to navigation approaching a 3 slip docking facility on an average of 177 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

Conservation Commission/Staff Comments:
Con. Com. questioned need for proposed project.

APPROVE PERMIT:

Remove 10 rocks (15 cu yd) that are hazards to navigation approaching a 3 slip docking facility on an average of 177 ft of frontage on Moultonborough Neck, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction of Wolfeboro, Inc. dated March 31, 2004, as received by the Department on April 1, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. Rocks removed from the lake bed shall be placed outside of the jurisdiction of the DES Wetlands Bureau unless another use is specifically permitted.
6. No rocks shall be dredged or deposited within 20 feet of an abutting property line or the imaginary extension of that line into the water.
7. No work is authorized to the existing 3-slip docking facility.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(g), removal of no more than 20 cubic yards of material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Conservation Commission questioned the need for the proposed dredge and applicant removed it from the application.

2004-00038 DOLLOFF, ALBERT
GILFORD Unnamed Wetland

Requested Action:

Fill 7902 square feet of scrub shrub wetland including installation of three 18-inch x 15 foot culverts for driveway access to a proposed single family residential site.

Conservation Commission/Staff Comments:
The conservation commission initially intervened but no further comments were received.

APPROVE PERMIT:

Fill 7902 square feet of scrub shrub wetland including installation of three 18-inch x 15 foot culverts for driveway access to a proposed single family residential site.

With Conditions:

1. All work shall be in accordance with plans by DMC Surveyors dated December 7, 2001, and revised through February 10, 2004

as received by the Department on February 13, 2004.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Silt fencing must be removed once the area is stabilized.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00197 HORIZONS CONDO ASSOCIATION, GARY ATTALLA
HAMPTON Tide Mill Creek

Requested Action:

Temporarily impact 1,648 square feet of developed upland tidal buffer zone for the installation of year-round water and electric utility lines.

APPROVE PERMIT:

Temporarily impact 1,648 square feet of developed upland tidal buffer zone for the installation of year-round water and electric utility lines.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated April 11, 2003, with revisions dated November 17, 2003, as received by the Department on February 5, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
6. Area shall be regraded to original contours following completion of work.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(b), projects that involved work within 50 feet of a saltmarsh.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. NH Natural Heritage Inventory (NHNHI) has record of one state endangered vertebrate species, the Common Tern (*Sterna hirundo*); one state threatened vertebrate species within the vicinity of the project, the Arctic Tern (*Sterna paradisaea*); one state vertebrate species of special concern, the Horned Lark (*Eremophila alpestris*), and one natural community of special concern, a Gulf of Maine Salt Marsh.
6. DES review finds that the NHNHI identified vertebrate species, and the natural community of special concern will not be negatively impacted as a result of the proposed project, as the project will take place completely within the developed upland tidal buffer zone and will have no direct impact to the abutting saltmarsh.

2004-00264 DIORIO, THOMAS & LINDA
ALTON Lake Winnepesaukee

Requested Action:

Amend permit to include a seasonal canopy.

Conservation Commission/Staff Comments:

Con. Com. did not signed expedited application, as dock is longer than previously permitted.

APPROVE AMENDMENT:

Amend permit to read:

Remove an unpermitted 6 ft x 10 ft section and repair an existing 6 ft x 30 ft crib dock in-kind, and install (2) fender pilings and a 12 ft x 30 ft canopy on an average of 104 ft of frontage on Lake Winnepesaukee.

With Conditions:

With Amended Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated January 23, 2004, revised on March 12, 2004, revised on March 24, 2004, as received by the Department on March 25, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Repair shall maintain permitted size, location and configuration.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Canopies shall be of flexible fabric and shall be removed for the non-boating season.
9. The removed 6 ft x 10 ft illegal dock section shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(m), installation of (2) new tie-off pilings.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00296 FILIPI, ARNIE
CHESTERFIELD Unnamed Stream

Requested Action:

Retain installation of an 18" x 40' culvert to be extended approximately 35' to provide access to a 2 bedroom single family residence

Conservation Commission/Staff Comments:

On March 2, 2004, the Conservation Commission requested clarification for appropriate culvert sizing to handle increased seasonal flows and requested approval is postponed to assess spring runoff conditions.

APPROVE PERMIT:

Retain installation of an 18" x 40' culvert to be extended approximately 35' to provide access to a 2 bedroom single family residence per plans received on 03/30/2004.

With Conditions:

1. All work shall be in accordance with plans by Sharon Monahan; Site Succor Design dated March 30, 2004, as received by the Department on April 2, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for this lot shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project alters approximately 70 linear feet of a seasonal stream and is therefore a minor impact project per Administrative Rule Wt 303.03(l), alteration or disturbance of less than 200 linear feet of a stream channel and its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on January 8, 2004. Field inspection determined seasonal stream channel relocated and culvert installed for construction of a driveway.
6. Home and septic system under construction as of January 8, 2004 site inspection.

7. Conservation Commission on March 2, 2004, requested postponement of approval until a determination could be made for adequate handling of site drainage.
8. The proposed drainage structures conform to existing drainage from abutting lots and roadside areas as documented during the site inspection on January 8, 2004, and meet Town specifications.
9. The subject lot shall have access only for a two (2) bedroom single family residence in accordance with applicable NHDES Subsurface Bureau Administrative Rules.

MINIMUM IMPACT PROJECT

2002-01980 TRAINA, SUSAN & JOE
SALEM Captain Pond

Requested Action:

Repair 30 linear feet of an existing retaining wall and retain work completed on an additional 84 linear feet of retaining wall on an average of 95 feet of frontage on Captain's Pond, Salem

Conservation Commission/Staff Comments:

Salem Conservation Commission approves the project.

Inspection Date: 05/14/2003 by Jeffrey D Blecharczyk

DENY RECONSIDERATION:

Repair 30 linear feet of an existing retaining wall and retain work completed on an additional 84 linear feet of retaining wall on an average of 95 feet of frontage on Captain's Pond, Salem

With Findings:

1. Standards for Approval
1. In accordance with RSA 482-A: 10, II Appeals, "a request for reconsideration shall be filed with the department within 20 days of issuance of the department's decision or order."
2. By statute, the Department has no discretion to waive or extend this deadline.

Findings of Fact

3. The Department issued its decision on the applicant's request to repair 30 linear feet of an existing retaining wall and retain work completed on an additional 84 linear feet of retaining wall on an average of 95 feet of frontage on Captain's Pond, Salem by way of a permit dated October 16, 2003, mailed on October 17, 2003.
4. The deadline to make a request for reconsideration of the Department's decision was November 7, 2003.
5. The Motion for Reconsideration, dated November 14, 2003, was received by the Department on November 14, 2003, 7 days after the issuance of the Department's decision.

Ruling in Support of the Decision

6. The department did not receive a timely request for reconsideration therefore the decision stands as issued.

2003-02603 BRYER, ROBERT
ANTRIM Unnamed Wetland

Requested Action:

Dredge and fill approximately 440 square feet of palustrine scrub/shrub wetlands to install a 12" x 20' culvert to provide access to a

single family residence for Lot 49-2

APPROVE AMENDMENT:

Dredge and fill approximately 440 square feet of palustrine scrub/shrub wetlands to install a 12" x 20' culvert to provide access to a single family residence for Lot 49-2

With Conditions:

1. All work shall be in accordance with plans by Dennis McKenney, LLS, New England Forestry Consultants, subdivision plan and driveway crossing for Lot 49-2 dated September 16, 2003, as received by the Department on November 19, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for this lot shall contain condition #3 of this approval.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The Permittee sold lot 49-1, prior to the completion of work, there-by requiring separate permits issued to the two interested parties.
2. No additional work outside of the original permit is required or has been requested by the two interested parties for lots, 49-1 and 49-2.

Requested Action:

Dredge and fill approximately 872 square feet of palustrine scrub/shrub wetlands to install a 15" x 20' culvert to provide access to a single family residence for Lot 49-1

APPROVE PERMIT:

Dredge and fill approximately 872 square feet of palustrine scrub/shrub wetlands to install a 15" x 20' culvert to provide access to a single family residence for Lot 49-1

With Conditions:

1. All work shall be in accordance with plans by Dennis McKenney, LLS, New England Forestry Consultants, subdivision plan dated September 16, 2003, as received by the Department on November 19, 2003, and driveway crossing for Lot 49-1, dated December 30, 2003, as received by the Department on December 29, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for this lot shall contain condition #3 of this approval.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The Permittee sold lot 49-1, prior to the completion of work, there-by requiring separate permits issued to the two interested parties.
2. No additional work outside of the original permit is required or has been requested by the two interested parties for lots, 49-1 and 49-2.
3. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal

jurisdictional wetlands.

4. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-02631 MEREDITH NAUTICAL CLUB, RICHARD HALL
MEREDITH Lake Winnepesaukee

Requested Action:

Maintenance dredge a total of 540 cy in 11900 sqft from three separate, previously dredged, locations adjacent to a major docking facility as follows: 310 cy from 6900 sqft; 80 cy from 2600 sqft; and 150 cy from 2400 sqft from Lake Winnepesaukee, Meredith.

Conservation Commission/Staff Comments:

Con Com concerned about slope in dredge area 3.

APPROVE PERMIT:

Maintenance dredge a total of 540 cy in 11900 sqft from three separate, previously dredged, locations adjacent to a major docking facility as follows: 310 cy from 6900 sqft; 80 cy from 2600 sqft; and 150 cy from 2400 sqft from Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on April 2, 2004 and construction sequence received November 24, 2003.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be done during drawdown.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.03(k).

2003-02680 YOUNG, MARK
MEREDITH Unnamed Wetland

Requested Action:

Applicant requests reconsideration of denial to fill 2000 square feet of palustrine forested wetland to meet town building setbacks to wetlands.

Conservation Commission/Staff Comments:

The conservation recommends the permit not be approved.

DENY RECONSIDERATION:

Reconsider and reaffirm denial of request to fill 2000 square feet of palustrine forested wetland to meet town building setbacks to wetlands.

With Findings:

The Wetlands Bureau Reaffirms findings 1-15 of the original denial of this project dated February 18, 2004.

Standards for Reconsideration

16. In accordance with RSA 482-A:10,I, Appeals, "[a]ny person aggrieved by a decision made by the department under RSA 482-A:3 or subject to an order of the department under RSA 482-A:6 may apply for reconsideration by the department."

17. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."

18. In accordance with Rule Wt 302.04(b)(5), the applicant shall demonstrate by plan and example a lack of alternatives with lesser wetlands and surface water impacts.

Grounds for Reconsideration

19. The appellant maintains that the proposed project will not adversely impact the nutrients of finfish, custacea, shellfish and wildlife of significant value.

20. The appellant maintains that the proposed project will not damage or destroy habitats and reproductive areas for plants, fish and wildlife of importance.

21. The appellant maintains that the proposed project will not be detrimental to adequate groundwater levels or adversely affect stream water channels and their ability to handle runoff of waters.

22. The appellant maintains the proposed project will not disturb or reduce the natural ability of the wetland to absorb flood waters and silt.

23. The appellant maintains the proposed project will not increase general flood damage and the silting of open water channels.

24. The appellant maintains that the proposed project will have no effect on the general public.

Findings of Fact

25. On February 3, 2004, DES Wetlands Staff informed Mr. Young that the state does not have any setbacks to wetlands and recommended that Mr. Young seek a variance from the town setbacks to wetlands.

26. DES Wetlands staff conducted a site inspection of the property on February 5, 2004. Site inspection determined these wetlands function to hold floodwater and are adjacent to the perennial stream flowing from the northern property line on to the western abutting parcel.

27. On February 6, 2004, DES Staff informed Mr. Young of the impending denial of this permit request and again suggested that Mr. Young seek a variance from the town of Meredith for the setbacks to wetlands. Mr. Young stated they would only require him to turn the house which he does not want to do.

28. On February 18, 2004, the NHDES Wetlands Bureau denied the application to fill 2000 square feet of pasture forested wetland to meet town building setbacks.

29. The applicant has submitted a timely request for reconsideration on March 4, 2004.

Rulings in Support of the Decision

30. The proposed project is denied as the applicant has failed to provide a need as required in Wt 302.01(b).

31. The proposed project is denied in accordance with Rule Wt 302.04(d)(1), as there are practicable alternatives that would have a less adverse impact on the area and environments under the department's jurisdiction.

32. The proposed project is denied as the applicant has failed to document that the proposed project is the least impacting alternative to areas under the NHDES Wetland Bureau Jurisdiction in accordance with Wt 302.04(b)(5).

33. The applicant has failed to submit the information required as part of Wt 302.04(b), and reconsideration is therefore denied.

2003-02728 FORBES, JAMES
ALTON Lake Winnepesaukee

Requested Action:

Repair an existing 123 linear ft breakwater in-kind attached to an existing 6 ft x 33 ft dock connected to an existing 12 ft x 32 ft

dock, and repair an existing 60 linear ft breakwater in-kind on an average of 300 ft of frontage on Chestnut Cove, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. did not object to project, although they are concerned about nonconforming jetties.

APPROVE PERMIT:

Repair an existing 123 linear ft breakwater in-kind attached to an existing 6 ft x 33 ft dock connected to an existing 12 ft x 32 ft dock, and repair an existing 60 linear ft breakwater in-kind on an average of 300 ft of frontage on Chestnut Cove, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction revised February 17, 2004, as received by the Department on April 6, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Dredged or removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
10. Existing rocks which have fallen shall be used for repair.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

FORESTRY NOTIFICATION

2004-00290 TANA PROPERTIES LP, C/O Q. P. NASH
AMHERST Unnamed Stream

COMPLETE NOTIFICATION:
Amherst Tax Map 2, Lot# 26

2004-00334 BOUTHILLIER, ALLEN
COLUMBIA Unnamed Stream

COMPLETE NOTIFICATION:
Columbia Tax Map 421, Lot# 20

2004-00456 TR DILLON LOGGING
SUCCESS Unnamed Stream

COMPLETE NOTIFICATION:
Success Tax Map 1612, Lot# 7

2004-00489 MACOMBER, MARTHA
CENTER HARBOR Unnamed Stream

COMPLETE NOTIFICATION:
Ctr. Harbor Tax map 5, Lot#53

2004-00490 CILLEY, ROBERT
NOTTINGHAM Unnamed Stream

COMPLETE NOTIFICATION:
Nottingham Tax Map 28, Lot# 9

2004-00515 CUTTER JR, DONALD
LYME Unnamed Stream

COMPLETE NOTIFICATION:
Hanover Tax Map 42, Lot# 22

2004-00516 UGO ENTERPRISES INC
FRANCONIA Unnamed Stream

COMPLETE NOTIFICATION:
Franconica Tax Map 19, Lot# 10

2004-00542 SCHWAEGLER, BRUCE
ORFORD Unnamed Stream

COMPLETE NOTIFICATION:
Orford Tax Map 8-27, Lot# 4 & 5

2004-00543 MINICKELLO, PETER/VIRGINIA
PLYMOUTH Unnamed Stream

COMPLETE NOTIFICATION:
Plymouth Tax Map 7-4-9, Lot# 5

2004-00544 KEATEN, NANCY & DARRELL
EAST CONWAY Unnamed Stream

COMPLETE NOTIFICATION:
East Conway Tax Map 241, Lot# 6

2004-00545 HODGMAN, MARY
WARNER Unnamed Stream

COMPLETE NOTIFICATION:
Warner Tax Map 4, Lot#1

2004-00552 BLUE HILLS FOUNDATION INC, GEORGE M LOVEJOY JR.
STRAFFORD Unnamed Stream

COMPLETE NOTIFICATION:
Strafford Tax Map 9, Lot# 47

2004-00555 SIEMON FAMILY CHARTITABLE TRUST, CARL
MILTON MILLS Unnamed Stream

COMPLETE NOTIFICATION:
Milton Mills Tax Map 12, Lot# 15

2004-00556 LEWELLYN, MARTHA & JEFF
NEWPORT Unnamed Stream

COMPLETE NOTIFICATION:
Newport Tax Map 52, Lot# 1552-1

EXPEDITED MINIMUM

2000-01615 KOMARIDIS, SCOTT
BELMONT Sargent's Pond

Requested Action:
Approve name change to: Robert S Norkiewicz, 4 Grand View Rd., Pelham, NH 03076 per request received 4/2/04

APPROVE NAME CHANGE:
Construct a 21'x 20' perched beach and a 4'x 20' seasonal pier on 115' of frontage.

With Conditions:
1. All work shall be in accordance with plans by Harold E. Johnson, Inc. dated November, 1999 (last revised February 7, 2001), as

received by the Department on February 13, 2001.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 20 feet from the shoreline at full lake elevation.
6. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
7. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 464.70'). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
8. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
9. This permit shall be used only once, and does not allow for annual beach replenishment.
10. The applicant shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
12. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2003-01339 TYLER J LIBBY ASSOCIATES, INC
STRATHAM Unnamed Wetland

Requested Action:

Change name to Hailey Realty Trust, c/o Jeffery Dupere, to fill 1,469 square feet of forested wetlands for the construction of a driveway crossing to access buildable uplands.

APPROVE NAME CHANGE:

Change name to Hailey Realty Trust, c/o Jeffery Dupere, to fill 1,469 square feet of forested wetlands for the construction of a driveway crossing to access buildable uplands.

2004-00239 SCHWARTZ-BARR REALTY TRUST, ARTHUR SCHWARTZ TTEE
NEW LONDON Unnamed Wetland

Requested Action:

Dredge and fill approximately 2,139 square feet of palustrine forested wetland to provide access to three single family building lots.

Conservation Commission/Staff Comments:

New London Conservation Commission signed off on the application.

APPROVE PERMIT:

Dredge and fill approximately 2,139 square feet of palustrine forested wetland to provide access to three single family building lots.

With Conditions:

1. All work shall be in accordance with plans by Hinds Septic Design Services dated January 19, 2004 and revised on March 30, 2004, as received by the Department on March 30, 2004.

2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for all the lots shall contain condition #2 of this approval.
4. Work shall be done during low flow.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be properly rip rapped.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional inland wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00263

NORTH COUNTRY BUILDERS TRUST, C/O LEO KILEY

CONWAY Unnamed Wetland

Requested Action:

Dredge and fill approximately 205 square feet of forested wetlands to install a 36 inch by 24 foot long culvert to construct a driveway to provide access on a 3-lot subdivision on 31.91 acres.

Conservation Commission/Staff Comments:

The Conway Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill approximately 205 square feet of forested wetlands to install a 36 inch by 24 foot long culvert to construct a driveway to provide access on a 3-lot subdivision on 31.91 acres.

With Conditions:

1. All work shall be in accordance with the Wetland Impact Plan by Ammonoosuc Survey Company, Inc. dated January 19, 2004 and revised March 15, 2004, as received by the Department on March 22, 2004.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

8. Work shall be done during low flow conditions.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The project is categorized as a Minimum Impact Project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of forested wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

2004-00394 BANDOVERES, GARY

ROLLINSFORD Unnamed Wetland

Requested Action:

Fill 1,852 square feet of nontidal wetlands for the installation of the municipal water line, and for the construction of two crossings within a shared driveway accessing buildable uplands on two abutting parcels.

APPROVE PERMIT:

Fill 1,852 square feet of nontidal wetlands for the installation of the municipal water line, and for the construction of two crossings within a shared driveway accessing buildable uplands on two abutting parcels.

With Conditions:

1. All work shall be in accordance with plans by Pohopek Land Surveyors & Septic Designers dated December 29, 2003, as received by DES on March 10, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving less than 3,000 square feet of impacts to wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence that demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

2004-00416 PORTER, RICHARD

FREMONT Unnamed Wetland

Requested Action:

Dredge and fill 495 square feet of palustrine forested wetland to construct a driveway to provide access to a single family building lot of 29.94 acres.

Conservation Commission/Staff Comments:

Fremont Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill 495 square feet of palustrine forested wetland to construct a driveway to provide access to a single family building lot of 29.94 acres.

With Conditions:

1. All work shall be in accordance with the Dredge and Fill plan by T.D. Brouillette Land Surveying dated February 2, 2004, as received by the Department on March 15, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work shall be done during low flow.
5. No fill shall be done for lot development.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), alteration of jurisdictional wetland to install a culvert to permit vehicular access to single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Based on scaled measurements, DES has determined that the proposed project activities are greater than 1,000 feet from the Spruce Swamp Prime Wetland and will not have a significant adverse impact to the Prime Wetland.

2004-00417 GEORGE, GREGORY
NORTHWOOD Northwood Lake

Requested Action:

Repair and reface 35 ft 5 in of an existing 49 ft 9 in existing retaining wall, and repair an existing 6 ft 6 in x 21 ft concrete pier in-kind on an average of 60 ft of frontage on Northwood Lake, Northwood.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Repair and reface 35 ft 5 in of an existing 49 ft 9 in existing retaining wall, and repair an existing 6 ft 6 in x 21 ft concrete pier in-kind on an average of 60 ft of frontage on Northwood Lake, Northwood.

With Conditions:

1. All work shall be in accordance with plans by George W. Gregory, as received by the Department on March 15, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Repair shall maintain existing size, location and configuration.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
10. Work shall be done during low water.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2004-00418 WITHAM, DAVID & SUSAN
BOSCAWEN Unnamed Wetland

Requested Action:

Dredge and fill 875 square feet of palustrine forested wetland to update existing sanitary sewer system to allow storm water to outfall separately from the sewer system.

Conservation Commission/Staff Comments:

Boscawen Conservation Commission signed the Minimum Impact Expedited application.

APPROVE PERMIT:

Dredge and fill 875 square feet of palustrine forested wetland to update existing sanitary sewer system and separate storm water outfall from the sewer system.

With Conditions:

1. All work shall be in accordance with Plan Outfall (Sheet 16 of 21) by Underwood Engineers Inc. dated December 3003, as received by the Department on March 15, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Work shall be done during low flow.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. Silt fencing must be removed once the area is stabilized.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. This project will benefit the town of Boscawen to lessen the burden on the sanitary sewer system.

GOLD DREDGE

2004-00540 ATOMANUK JR, JAMES
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
Bath Con Com

2004-00546 POIRIER, JASON
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
Bath ConCom

2004-00547 POIRIER, DORIS
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
Bath ConCom

2004-00553 KIMBERLIN, BONNIE
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
Bath ConCom

LAKES-SEASONAL DOCK NOTIF

2004-00541 KIDD, DIANE & GEORGE
HANCOCK Norway Pond

COMPLETE NOTIFICATION:
Hancock Tax Map U9, Lot# 9A Norway Pond

ROADWAY MAINTENANCE NOTIF

2004-00588 NH DEPT OF TRANSPORTATION
MANCHESTER Unnamed Wetland

2004-00590 HENNIKER, TOWN OF
HENNIKER Ditch

PERMIT BY NOTIFICATION

2004-00450 WOODS, JOHN
WOLFEBORO Unnamed Wetland

Requested Action:
PBN #1, 900 sq ft of impact

Conservation Commission/Staff Comments:
Wolfeboro Conservation Comission did not sign the PBN application, after speaking with Dan Coons of Wolfeboro CC they do approve it.

PBN IS COMPLETE:
PBN #1, 900 sq ft of impact

2004-00522 BOUCHARD, KENNETH
MADBURY Unnamed Wetland

Requested Action:
PBN #1, 894 sq feet of impact to forested wetland.

Conservation Commission/Staff Comments:
Madbury Conservation Commission signed the PBN application.

PBN IS COMPLETE:
PBN #1, 894 sq feet of impact to forested wetland.